

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JAN 7 1976
 Returned to applicant for correction JAN 23 1976
 Corrected application filed FEB 3 1976
 Map filed February 1, 1957, under 13649

The applicant Richard E. & Mari Kephart
Diamond Valley Rt., of Eureka,
Street and No. or P.O. Box No. City or Town
Nev. 89316, hereby make application for permission to appropriate the public
State and Zip Code No.
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-
 tion; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground
Name of stream, lake or other source.
2. The amount of water applied for is 2.7 second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet acre-feet
3. The water to be used for Irrigation & Domestic
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
 - (a) Irrigation (state number of acres to be irrigated) 138
 - (b) Stockwater (state number and kinds of animals to be watered)
 - (c) Other use (describe fully under "No. 12. Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33,
T.22N., R.54E., M.D.B.&M., or at a point from which the SE corner
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
of said Section 33 bears S. 89° 05' E. 867.2 feet.
it should be stated.
6. Place of use SE $\frac{1}{4}$ Section 33, T.22N., R.54E., M.D.B.&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about Jan. 1 and end about Dec. 31, of each year.
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, pump, sprinkler system

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$25,000.....
10. Estimated time required to construct works.....5 yrs.....
11. Estimated time required to complete the application to beneficial use.....5 yrs.....
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.
- Map filed under 13649 will support this application. This application is filed for the 138 acres not covered by 13649.

Applicant Richard Kephart.....

By s/ Richard Kephart
Diamond Valley Rt.
Eureka, Nev. 89316

Compared.....ns/bs.....lk/b#.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A substantial weir or other type of measuring device must be installed and measurements of water use kept. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined amount of water granted under this permit and Permit 13649 is limited to what the well covered under the two permits is capable of producing. If certificates of appropriation are issued under this permit and Permit 13649, the total combined amount of appropriation granted in said certificates shall not exceed what the well covered under the two permits is capable of producing.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.6 cubic feet per second but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before.....November 21, 1976.....

Proof of commencement of work shall be filed before.....December 21, 1976.....

Work must be prosecuted with reasonable diligence and be completed on or before.....November 21, 1977.....

Proof of completion of work shall be filed before.....December 21, 1977.....

Application of water to beneficial use shall be made on or before.....November 21, 1979.....

Proof of the application of water to beneficial use shall be filed on or before.....December 21, 1979.....

Map in support of proof of beneficial use shall be filed on or before.....December 21, 1979.....

Commencement of work filed.....
Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No..... Issued.....
Recorded..... Bk..... Page.....
County Recorder

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD,
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 21st day of May

A.D. 19 76

Roland D. Westergard
State Engineer